G. R. S. 59] GPB—15,000—22-7-14

# GENERAL AND REVENUE SECRETARIAT.

1905
( G. H— )

**File No.** 14. 8 of 95.

**Serial Nos.** 1—7.

P. 44
K-E

## Papers Filed.

*Month*_____

Considerable

SUBJECT.

Appeal of Desakulkarni Ramappa and his son Butchia of Nandanbalu regarding the fine imposed on them for removing a Hunbeesi tree.

| PREVIOUS REFERENCES. | LATER REFERENCES. |
|---|---|
| | Indexed by Rajmundhan Chak |

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GOVERNMENT OF MYSORE

Appeal suit No 74
of 1895-96

Appellants:- Desakula Karni Ramappa and his son Butchia of Nandamballi village, Kolar Taluq, Kolar District.

This is an appeal against the Order No 31 Dy 10-4-95 of the Deputy Commissioner of the Kolar district declining to cancel the fine of Rs 10/- imposed on the appellants for removing a Huvarsi tree.

The origin of this case is to be found in the two anonymous petitions received separately by the Dy. Comr and the Treasury assistant in the latter part of the month of May 1893. Later on two more petitions were received

&c.

by the Treasury Assistant from Venkat Roa Shanbhog of Huthur. In all these petitions it is complained that the appellants felled a green Huvarsi tree which stood on the bund of a Govt. Kunte in front of Nandamballi village. The Treasury assistant ordered the Amildar to make an inquiry into the case. The Amildar ordered the Police jamadar to make the inquiry.

The Police jamadar took down the depositions of the following, viz., Butchia one of the appellants, Venkat Roa Shanbhog of Huthur, Venkatramana, Somappa, Gowsabi, and Gopanna of Nadamballi, and subbanna of Chamarahalli. In all these depositions except that of Butchia, it is stated that the appellants felled a green standing Huvarsi tree belonging to Govt. on the bund of the said Kunte, and removed the same for their own use.

Butchia deposed that he was the hakdar of the said Kunte as the same was constructed by Ummajappa

× Ummajappa is stated to have been Pet. Ramappa's father's elder brother, and to Pt. Buchaiah's grand-father's elder brother.

the elderly member of his family; that the trees by the Shetbar's Hinwarsi tree on the bund of the Kunte were also planted by Ummajappa; that the Hinwarsi tree was blown down by wind & damaged the bund; and that to repair the bund the tree was removed.

From the petitions and the depositions the exact date on which the tree was cut cannot be fixed. But it may be roughly said that the tree was cut about the beginning or about the 7th of May 1893.

The Police Jamadar reported the above depositions to the Police Inspector with a remark that the Shetdar of Huthur Hobli seemed to be present when the tree was cut, but ignored the fact when questioned.

The Police Inspector asked the Jamadar to take down the deposition of the Shekdar who deposed that he saw the appellants removing earth at the root of the tree for the purpose of cutting it & warned them not to do so without the

Note.

Witness Subbanna says the tree was felled in April 1893.

Witness Somappa, Sowcar Sub of Sopanna examined on 22nd June 1893 by Place the event 1½ months prior to that date i.e. about the 7th of May 1893.

Shekdar Sri Kambaiya says that he saw Petrs meddling with the tree 2 months prior to date of his deposition viz. 6-7-93. according to him the event would be abt 6 May 1893

Among many Pet. dated — May 1893 received on 18 May 1893 says that the tree was cut abt 8 or 10 days ago. Accd to this the date will be abt the 8 May 1893.

Petr Buchaiya says the tree fell down abt 20 days prior to 17 May 1893 & was cut subsequently

Pieces cut were all found & entered in Mahazar on 19 May 1893. Two were at the spot.

the permission of the Amildar.

The Police Inspector briefly reported the whole matter to the Treasury Assistant and requested his permission to charge the appellants criminally. The Police Inspector though allowed found no satisfactory evidence to form a charge against the appellants.

Then the Amildar was asked to try the case on the revenue side. He took down the depositions of the following; viz, the Shekdar of Huthur Hobli, the appellants, and Gunnappa a ryot of Nandamballi village.

The Shekdar deposed that at the time he saw the tree, it was green & standing, and its value was about five rupees.

Gunnappa deposed that the Hevarsi tree was blown down about a year back and was removed by Bulchappa.

The appellants deposed that Ummajappa the elderly member of their family constructed the said Kunte & planted the Hevarsi tree on its bund, that the tree was blown

down by wind and damaged the bund; that to repair the bund the tree was removed; that the Kunte was in Govt. land; and that they had produced the Siddhanti chitta in support of their claims. The original Chitta produced (1st page only & a copy of the Sadrey Siddhanti Chitta of the Kalayukti year are in the file. It is stated as follows on it.

No 1 is waste land (containing) ~~Leaving out~~ Kunte (and) manure pits & the cashew in front of the village - & comprising

1 Ummajappa's Raché
1 Neralé tree
1 Aralé tree
1 Bevina tree
1 Chalavindra
1 Someswara temple
1 Gopalaswamy's temple
1 Ummajappa's Kunte

The Amildar reported the same to the Dy. Comr with a recommendation to fine the appellants Rs 10/- on the score that a standing green Huvarsi tree belonging to Govt. was felled by the appellants, that the Siddhanti Chitta contained no reference to the Huvarsi tree and that no satisfactory evidence

11

X

"ಸದರಿ ಸಿದ್ಧಾಂತ ಚೀಟಿಯಲ್ಲಿ ಬರೆದಿರುವ ಪ್ರಕಾರ ಸದರಿ ಹಿಂದಿನ ಕಾಲದಲ್ಲಿ ಅಂದರೆ 1859 ನೇ ಇಸವಿಯಲ್ಲಿ ಈ ಹಳ್ಳಿಯಲ್ಲಿ ಇದ್ದ ಹಿರಿಯರು ಈ ಹಳ್ಳಿಯ ಸೀಮೆಯಲ್ಲಿ ಇರುವ ಮರಗಳನ್ನು ಕಡಿಯಬಾರದೆಂದು ಹೇಳಿರುತ್ತಾರೆ."

evidence was produced by the appellants in support of their claims to the tree.

The Dy. Comr on the recommendation of the Amildar fined the appellants Rs 10/- by his Order No 51 Dy 17-7-914

The appellants then submitted a petition to the Dy. Comr for the Cancellation of the fine imposed on them on reviewing the case, on the following grounds:-

That the Kumte in front of the said village was constructed by Ummajappa the elderly member of their family; that the said Hebarri tree was planted by Ramappa; (It should be observed here that Ramappa deposed before the Amildar that the tree was planted by Ummajappa.); that the tree was blown down by wind & damaged the bund; and that the appellants spent about Rs 70 to repair the bund, after the removal of the tree.

(2) That the Police jamadar's report was based on the enemical depositions of their opponents & therefore

it ought to be disregarded.

(3) That before the Amildar the appellants had deposed that the said tree belonged to them & produced the Siddhanti Chitta in support of their claims;

(4) That the Pahani accounts of Bahudhanya vikrama & Vrishu, signed by the Amildar clearly state that the said tree belongs to the appellants.

(5) That the appellants are ready to get a Mahazar to the effect that the said tree was planted by them.

The Amildar in his report to the Dy. Coms says that the appellants' Mahazar was not to be credited as they command great influence in their village.

The Dy. Coms thereon asked the Amildar to explain the insertion of the Huvarsi tree in the Pahani accounts while it was absent from the Siddhanti Chitta.

The Amildar reported thus: The Pahani accounts were

were prepared from the siddhanti Chitta. The insertion of the Huvarsi tree in the Pahani was not to be credited since it was not mentioned in the Siddhanti Chitta produced by Pets themselves & formed the basis of the Pahani. The Pahanis in question were written by Pets themselves & are suspicious. The practice is to seal & sign the Pahani after accounts are closed & those in question were accordingly sealed & signed. But this fact does not appear to testify to the correctness of entries as to trees etc. The Pahanis cannot, in his (Dy. Hema Hanamanthiah's) opinion, be regarded as a piece of evidence in favour of Pets

(But it is to be observed here that no Pahani account is in the file. Those produced by Pets were returned to them on 31-7-95.)

On reviewing the case the Dy. Comm. confirmed his previous order on the score that the Huvarsi tree was not mentioned in the siddhanti chitta the basis of the Pahani and that the Pahani submitted by the appellants, being prepared by the Shanbhog of the village, was not worthy of credit. The fine was paid by the appellants.

Pet. Buchaiah says that his uncle was Shanbhog from Nanadana

Now the appellants appeal to Govt. to reverse the order of the Dy. Comm. on the following grounds.

(1) That the said Kunte was constructed by Ummajappa the elderly member of their family the Huvarsi tree was planted by Ramappa; it was blown

down by wind & damaged the bund; to repair the bund the tree was removed. The appellants spent about Rs 70 for the repair; in the Siddhanti Chitta the Kunte was called Hanmappa's Kunte; there are mahazars to the effect that the appellants have advanced about nine Candies of ragi for the repair of the bund.

(2) That the said tree is mentioned in the Pahani as belonging to the appellants: and the Pahani is signed by the Amildar; to set aside the Pahani signed and sealed by the Amildar is unjust on the part of the Dy. Comrs; the tree was planted by Ramappa one of the appellants, some time after the Siddhanti Chitta was prepared; the absence of the Hevarsi tree in the Siddhanti Chitta is not an adequate reason to set aside the Pahani & to confirm the fine.

The Amildar according to his report of 4-8-96 has inspected the said village & the Kunte.

He thinks that the Kuntè was probably constructed by Ummajappa's family.

There is a Dundubhi year's chitta in the file. In this the No contains —

Ummajappa's 1 Rachè
1 Neralè tree
1 Aralè tree
1 Gopalaswamy's temple.

Nothing is said about the said Kuntè or the tree.

M.V.
2/10/96

The exact date on which the Buvarees tree was cut or removed could be ascertained from the record As directed by the 2nd Councillor on the back of the English Abstract of Petition No 2162, the Dep.t Comm.r was not asked in the Official Memorandum of 20-9-96 to report the date.

The Kuntè on the bund

It was a fact to be ascertained from the records called for & noted. From the notes made at para 3 it will be seen that the tree was cut in the early part of May 1893

of which the Murasseetree in question stood for the cutting & removing of which they have been fined Rs 10 by the Dep^y Comm^r. is alleged by the petitioners Mhave been constructed by their ancestor Iruvvy uttan & the tree also planted by him thereon

Petitioners have produced a certified copy of the Chitta of Kalaguk they. According to this map No 1 of Thandamballi village contains Iruvvy uttan Kunta. This was not produced before the Deputy Commissioner The Chitta of 1862 received with the vernacular records is silent about the Kunta belonging to any particular individuals. The Kunta bears old or map No two.

Petitioners allege that they executed certain repairs to the Kunta. The amildar personally inspected the Kunta

This is the same as the one referred to as Siddhanti Chitta. The map itself of this copy was produced by R^t before the Amildar on 27-6-94 & it was before the D^y Comm^r. & used consideration

and reports that no rep aver are traceable but that the Kunta ordinarily goes by the name of Ennmajuttana Kunta & is regarded by the Villagers as a Charitable work.

The other pieces of evidence relied on by the petitioners to show their proprietorship in the tree are the Pahuni books of Baheedaneyar Lea. but admittedly these Pahuni do not agree with the Chittas of Sidhartha upon which they are based in regard to this (this forms part of the Kota) land, & have been considered by the Dept. Counsel as valueless

Submitted

T.B.R.

10/10/96 The points for consideration are: (1) whether the Kunta in question was constructed by Pet^n ancestor Ennmajappa & whether Pet^n can assert

assert any right to it

(2) whether the Hunasu on the bund & other trees on the Kunte and Ratche were planted by Pet^rs ancestors & whether they can assert any right to them -

1 Atti on Kunte
1 Aswatha on Ratche
1 Nirle

Petitioners admit: ~~to~~

(1) that the land on which the Kunta & trees stand belong to Government.

(2) that they have no orders relating to their claim & no reference except the entry in the Siddhanti Chitta produced by them. &

(3) that at the Survey settlement the Kunta & the other premises were included in the village site.

Pet^rs do not appear to have asserted any claim at the Survey settlement, and it is stated that in the settlement-papers no note was made of any private rights to Kunte or trees.

There was no Siddhanti Chitta, signed or sealed, in the Taluk records. The one produced by Pet^rs themselves has been referred to in the proceedings and admittedly it is neither signed nor sealed.

Pet^rs urge that formerly there was the practice of people excavating Kuntas in, and planting trees on, Govt. lands, that the same had been done

in this case, and that they had executed repairs [illegible] with reference to this, the present Amildar Mr. S. Krishna Iyer's report may here be noted in some detail :—

The Petr's is the only house in the fort. There are numerous houses outside, belonging to others. It appears that Petr had formerly a Kota maniya and that it was since fully assessed. These facts go to show that Petr's ancestors came (first) to the village and built the fort, as well as the pond for the use of cattle. Those who built the other houses seem to have come subsequently. Besides this, the Kunta in question is generally called "Ummajappa's Kunta", Ummajappa being Petr's ancestor. Petr personally have no benefit to derive from the Kunta. It was constructed for purposes of charity, for the use of the public. They say that if it is made over to their possession, they are prepared to execute further repairs to it.

The Asst. examined two witnesses (Waddars) as to the repairs said to have been already executed — One says that he was given 1 Kandi 5 Kolgas of Ragi & 2 sheep & that he did work [illegible] time not clearly specified. He seems

to refer to the period when the tree in question on the bund was cut (May 1893). The other Waddar says that he has received Jars & Kandies of Raggi to do the work, but that he has not yet done it as Potts said that a Jakkan had cropped up & he should wait till it is decided. Mr. Krishna Ayer's inspection was in Augt 1896. He was not then able to see traces of work having been done newly. None could have been done since 1893 as there were these proceedings.

As regards the tree, oral evidence as to ~~[illegible]~~ exercise of acts of ownership by Potts & their ancestors has not been taken on the ground that Potts have a number of men to back them. The documentary evidence, the Pahanis, have been discarded for reasons noted above. Mr. Hema Kama Mantayya's opinion as to what weight is to be attached to Taluk seal & signature is noted above. Another Deputy Collector T. Venkatramayya in Amillen makes the following observation:-

"ಶ್ರೀ ರಂಗಪ್ಪನವರಿಗೆ ಅವರ ಪಿತ್ರಾರ್ಜಿತ
ಆಸ್ತಿಯಾದ ಮಾಮರಿಕ್ಕೆ ಸಂಬಂಧಿಸಿದ
ವಿಷಯದಲ್ಲಿ ಇಂದು ನಿಮ್ಮೊಂದಿಗೆ
ಇರುವ ಮಾಮರಿಕ್ಕೆ ನಿಮ್ಮಲ್ಲಿ ಕೆಲವರು
ಮಾಡಿದ ಅಡ್ಡಿಯಿಂದ ಅವರಿಗೆ
ಬೇಸರವಾಗಿದೆಯೆಂದು ನಾನು ಕೇಳಿದೆ

[illegible]

[illegible]

[illegible]

Gen. Serial No. 32.]

1895

Stamp sufficient —
Out of time by 51 days
Petr's lawyer says that the
Dy Comm's endorsement
dated 10 April 1895 was
delivered to them only on 31-7-95
If this is true the appeal is time
Subd for orders
Ag
Rend 3/9

No. 947

Name of Petitioner Desikala Karni Ramappa and his son Krishna residing at

Village. Nandamballi

Taluk. Kolar

District. Kolar

Date of Arzi. 29-8-95

Date of Receipt. 30-8-95

Date of Disposal.

No. of Enclosures. 1

Section 4 Yo
File No 14
Serial No 1

ABSTRACT.

Appeal against the order of the Dy. Comr. Kolar District No. 31 of 10-4-95 (rec'd 31-7-95) declining to modify his previous order and confirming the fine of Rs. 10/- imposed on them for removing a Hoovarsi tree on the bund of their Kalkoar Kunte in front of Nandamballi village - that had fallen down - on the ground that the tree was not mentioned in the Sidduti Chitti and that the Panchanama submitted by them in support of their claim and which were prepared by the Shanbhoga on the said Chitti could not be believed to be correct.

Rend 3/9

Deputy Comr's final order No 51 of 15-7-94 fining the petrs to produced with petn No 2162 of 27-11-95

28/2

Subd to the Rev. Secy

Subd to Counsel

26-12-95

6/1/96

The petitioners urge that Bauhinia and Jacaranda - Kiambu Plain family Conebrushes the Kiambu and planted trees - [redacted] was mentioned in the Lodwar Municipal Circular - that Map No. 1 in the [redacted] Circle of Community Office Plant over 30 years ago Kamassia (the plan refers) Plan [redacted] the Boma area Reference and Queries Dept - that the tree fell down 7 years ago damaging the Board of the Kiambu - that they removed it and repaired the Kiambu at a cost of 200 or 300 Rs. that an anonymous report was submitted to the Treasury Officer Conservancy that they had cut a flowering green tree - that the Police to whom the matter had been referred for Enquiry made partial investigation that during Accountant's Enquiry they did not claim the tree which was supported by the witnesses - that whilst it the Accountant reported against them the Dy. Comm. who imposed on them a fine of Rs. 100/= that on this they applied for review - that their review application was referred to the Accountant for Enquiry - that on the report submitted by the Collector Officer the Dy. Comm. passed the order appealed against; that the tree could not be mentioned in the Lodwar Circular since it was planted subsequently - that it has been entered in the Bank accounts which were prepared subsequently - that the Dy. Comm. was not right in to dismiss the Bahami Accts on basis of his decision on the partial report of the Accountant - that during Survey the Kiambu was included under village Life - and that the Revenue Rules have conferred the old Institution persons in Employment of them - they that on perusal of all the records - the fine imposed on them may be remitted.

30/8
RM

G 23
J 31
J 22
J 31
Aug 29
141

947 R
30-8-95

947 W.P.
19-11-96

Euro rupee stamp

A.S. 74 of 1995-96

ಕಾರಣ ಸಾಕ್ಷಿಗಳಿಗೆ ಸಮನ್ಸ್ ಜಾರಿ ಮಾಡಿ ಸಾಕ್ಷಿಗಳನ್ನು ಕರೆಯಿಸಿ ಸಾಕ್ಷಿ ವಿಚಾರಣೆ ಮಾಡಿ ಸಾಕ್ಷಿಗಳ ಹೇಳಿಕೆಯನ್ನು ಲಿಖಿತವಾಗಿ ದಾಖಲಿಸಿಕೊಂಡು ಸಾಕ್ಷಿಗಳಿಗೆ ಹಾಜರಾಗಲು ಸೂಚಿಸಿ ಸಾಕ್ಷಿಗಳು ಹಾಜರಾಗದೇ ಇದ್ದಲ್ಲಿ ಅವರ ವಿರುದ್ಧ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಲು ಅವಕಾಶವಿರುತ್ತದೆ.

3 ಸ್ಥಿರಾಸ್ತಿ ಪ್ರಕರಣಗಳಲ್ಲಿ ಸಾಕ್ಷಿಗಳ ಹೇಳಿಕೆಯನ್ನು ದಾಖಲಿಸಿಕೊಳ್ಳುವ ಮುಂಚೆ ಸ್ಥಿರಾಸ್ತಿಯ ಸ್ಥಳ ಪರಿಶೀಲನೆ ಮಾಡಿ ಸ್ಥಳ ಪರಿಶೀಲನೆ ವರದಿಯನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಳ ಪರಿಶೀಲನೆ ಮಾಡಿದಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ.

4 ಸ್ಥಿರಾಸ್ತಿಯ ಸ್ಥಳ ಪರಿಶೀಲನೆ ಮಾಡಿದಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ. ಸ್ಥಿರಾಸ್ತಿಯ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳುವಾಗ ಸ್ಥಿರಾಸ್ತಿಯ ಸುತ್ತಮುತ್ತಲಿನ ಪ್ರದೇಶದಲ್ಲಿರುವ ಸ್ಥಿರಾಸ್ತಿಗಳ ಚಿತ್ರಪಟವನ್ನು ಸಿದ್ಧಪಡಿಸಿಕೊಳ್ಳಬೇಕಾಗಿರುತ್ತದೆ.

ಅಂಗಡಿಯವರು ಸಾಮಾನುಗಳನ್ನು ಕೊಡಲು ನಿರಾಕರಿಸಿದರು.

ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆಯ ಸ್ಥಳ ಮತ್ತು ದಿನಾಂಕ 29-8-95

ಪತ್ರಿಕಾ ಪ್ರಕಟಣೆಯ ಸಂಕ್ಷಿಪ್ತ ವಿವರಣೆ

ಕೆಳಗೆ ಸಹಿ ಮಾಡಿರುವ ನಾನು ಭಾರತೀಯ ಪ್ರಜೆಯಾಗಿದ್ದು ಈ ಪತ್ರಿಕೆಯ ಪ್ರಕಾಶಕನಾಗಿರುತ್ತೇನೆ. ಈ ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ವಿವರಗಳು ಕೆಳಕಂಡಂತಿವೆ.

1. ಪತ್ರಿಕೆಯ ಹೆಸರು
2. ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ಸ್ಥಳ
3. ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ಅವಧಿ
4. ಪತ್ರಿಕೆಯ ಪ್ರಕಾಶಕರ ಹೆಸರು
5. ಪತ್ರಿಕೆಯ ಪ್ರಕಾಶಕರ ರಾಷ್ಟ್ರೀಯತೆ
6. ಪತ್ರಿಕೆಯ ಪ್ರಕಾಶಕರ ವಿಳಾಸ
7. ಪತ್ರಿಕೆಯ ಸಂಪಾದಕರ ಹೆಸರು
8. ಪತ್ರಿಕೆಯ ಸಂಪಾದಕರ ರಾಷ್ಟ್ರೀಯತೆ
9. ಪತ್ರಿಕೆಯ ಸಂಪಾದಕರ ವಿಳಾಸ
10. ಪತ್ರಿಕೆಯ ಒಡೆತನ ಹೊಂದಿರುವ ವ್ಯಕ್ತಿಗಳ ಹೆಸರು ಮತ್ತು ವಿಳಾಸ
11. ಪತ್ರಿಕೆಯ ಮುದ್ರಣಾಲಯದ ಹೆಸರು ಮತ್ತು ವಿಳಾಸ

ಮೇಲೆ ಕೊಟ್ಟಿರುವ ವಿವರಗಳು ಸತ್ಯವಾಗಿದ್ದು ನನ್ನ ಜ್ಞಾನ ಮತ್ತು ನಂಬಿಕೆಗೆ ಅನುಗುಣವಾಗಿವೆ.

ದಿನಾಂಕ 31-12-95 ರೊಳಗೆ ಪ್ರಕಟಣೆಯ ಅವಧಿಯು ಪ್ರಾರಂಭವಾಗದಿದ್ದಲ್ಲಿ ಈ ಘೋಷಣೆಯು ರದ್ದಾಗುವುದೆಂಬ ಎಚ್ಚರಿಕೆಯನ್ನು ಕೊಡಲಾಗಿದೆ. ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ಅವಧಿಯು ಪ್ರಾರಂಭವಾಗಿ ಒಂದು ವರ್ಷದೊಳಗೆ ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯು ನಿಂತುಹೋದಲ್ಲಿ ಈ ಘೋಷಣೆಯು ರದ್ದಾಗುವುದೆಂಬ ಎಚ್ಚರಿಕೆಯನ್ನು ಕೊಡಲಾಗಿದೆ. ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ಅವಧಿಯು ಪ್ರಾರಂಭವಾಗಿ ಒಂದು ವರ್ಷದೊಳಗೆ ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯು ನಿಂತುಹೋದಲ್ಲಿ ಈ ಘೋಷಣೆಯು ರದ್ದಾಗುವುದೆಂಬ ಎಚ್ಚರಿಕೆಯನ್ನು ಕೊಡಲಾಗಿದೆ. ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯ ಅವಧಿಯು ಪ್ರಾರಂಭವಾಗಿ ಒಂದು ವರ್ಷದೊಳಗೆ ಪತ್ರಿಕೆಯ ಪ್ರಕಟಣೆಯು ನಿಂತುಹೋದಲ್ಲಿ ಈ ಘೋಷಣೆಯು ರದ್ದಾಗುವುದೆಂಬ ಎಚ್ಚರಿಕೆಯನ್ನು ಕೊಡಲಾಗಿದೆ.

Ad. 74 of 1898-96

189.

No. 2162

Name of Petitioner, Ramappa and his son Butchaiya

Village, Nandanballe

Taluk, Kolar

District. Kolar

Date of Arzi, 27-11-95

Date of Receipt, 17-12-95

Date of Disposal,

No. of Enclosure, Encl 1-

ABSTRACT.

Producing the Kolar Dy Comrs order as directed by this Thro office endt no 947 dy 24-9-95.

The order is as follows.

Patel Ramappa and Butchappa are fined in the sum of rupees ten, for having flown a living tree standing in Govt waste land which should be recovered from them and adjusted in the account. Further they should be warned from committing similar fault on pain of high penalty tree preserved in amanat shall be disposed in auction. It is

Ad
21/12

Compliance report with records of the case may be submitted in due course and the matter closed

Mitd
7.1.96

Section G
Petition No. 2162
Serial No. 11

very unsatisfactory to note that
that the ~~second loan~~ matter
has been delayed for one year."

B.L.
20/12.

17-12-95

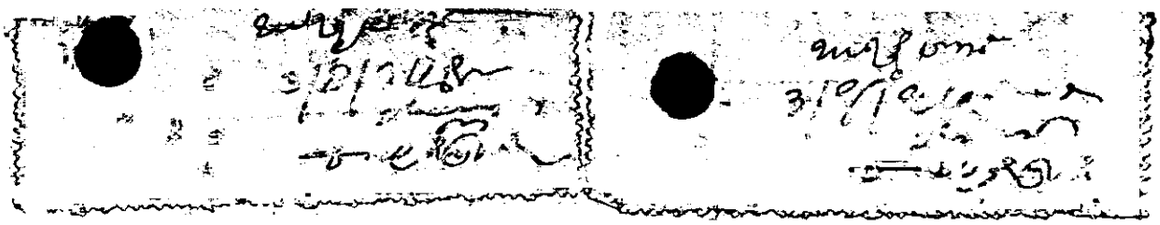
2162

Ex:1

MYSORE DEVELOPMENT OFFICE
PETITION DEPARTMENT
RECEIVED ON 2162
DATE 17-12-95

22

W.P. 74 of 1895-96



2162/1 23

ಕೋಲಾರ ಜಿಲ್ಲೆ ಕೋಲಾರ ತಾಲ್ಲೂಕು ಕಸಬಾ ಹೋಬಳಿ ಕೋಲಾರ ಪಟ್ಟಣದ ಸರ್ವೆ ನಂ. 1 ರಲ್ಲಿ ಒಳಪಟ್ಟ ಸರ್ಕಾರಿ ಖರಾಬು ಜಮೀನಿನಲ್ಲಿ ಸರ್ಕಾರದ ಪರವಾಗಿ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗಕ್ಕಾಗಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಭೂಸ್ವಾಧೀನ ಕಾಯಿದೆ 1894 ರ ಕಲಂ 6 ರಡಿಯಲ್ಲಿ ದಿನಾಂಕ 15-7-94 ರಂದು ಹೊರಡಿಸಿರುವ ಅಧಿಸೂಚನೆ.

ಕೋಲಾರ ಜಿಲ್ಲೆ ಕೋಲಾರ ತಾಲ್ಲೂಕು ಕಸಬಾ ಹೋಬಳಿ ಕೋಲಾರ ಪಟ್ಟಣದ ಸರ್ವೆ ನಂ. 1 ರಲ್ಲಿ ಒಳಪಟ್ಟ ಸರ್ಕಾರಿ ಖರಾಬು ಜಮೀನಿನಲ್ಲಿ ಸರ್ಕಾರದ ಪರವಾಗಿ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗಕ್ಕಾಗಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಭೂಸ್ವಾಧೀನ ಕಾಯಿದೆ 1894 ರ ಕಲಂ 6 ರಡಿಯಲ್ಲಿ ದಿನಾಂಕ 15-7-94 ರಂದು ಹೊರಡಿಸಿರುವ ಅಧಿಸೂಚನೆ.

ಕೆ.ಎಲ್.ಆರ್ 51

ಕೋಲಾರ ಜಿಲ್ಲೆ ಕೋಲಾರ ತಾಲ್ಲೂಕು ಕಸಬಾ ಹೋಬಳಿ ಕೋಲಾರ ಪಟ್ಟಣದ ಸರ್ವೆ ನಂ. 1 ರಲ್ಲಿ ಒಳಪಟ್ಟ ಸರ್ಕಾರಿ ಖರಾಬು ಜಮೀನಿನಲ್ಲಿ ಸರ್ಕಾರದ ಪರವಾಗಿ ಸಾರ್ವಜನಿಕ ಉಪಯೋಗಕ್ಕಾಗಿ ಸ್ವಾಧೀನಪಡಿಸಿಕೊಳ್ಳಲು ಉದ್ದೇಶಿಸಿರುವ ಜಮೀನಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ ಭೂಸ್ವಾಧೀನ ಕಾಯಿದೆ 1894 ರ ಕಲಂ 6 ರಡಿಯಲ್ಲಿ ದಿನಾಂಕ 15-7-94 ರಂದು ಹೊರಡಿಸಿರುವ ಅಧಿಸೂಚನೆ.

Pet 1255 with F 20-0-0 15/1/96

Draft

Sec — C. F.
File No — 84
Serial No — 3

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition of

Nos 2162 dated 27-11-95 and 9447 dated 29-8-95 respectively received at the Dewan's Office from Ramappa and his son ~~Bud~~ Buchia residing at Vandamballi village, Kolar Tk, appealing against the Deputy Commissioners order declining to cancel the fine of Rs 10/- imposed on them for removing a Honnarasi tree from

is forwarded, together with its enclosures, to the Deputy Commissioner of the Kolar District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

C2 Asst

Under

BANGALORE, ~~Chief~~ Secretary.

10-1-1896

15

10/1/96

M.G.C.P.B.—25-4-95—1,000

1255

Gen. 31]

REVENUE DEPARTMENT
Gl. No. 1289
1897 AUG.
DEWAN

From The Commissioner Kolar District

To The Secretary to the Government of Mysore Revenue and General Depts Bangalore

Section G 2c
File No 21
Serial No 24

Dated 9th August
Despatched 14th
Received

General No. 707
No. 168

Enclosure No. 1 & 2

Forwarding report on the petitions from Ramappa and Puchia residing at Nandanahalli Village Kolar Taluk

Recd 21/8/96 MV

Submitted
HR
21/8/96

resubmitted complete precis
3/10

Ashton Marsh
15/8/96

Recd 19/8

Recd 20/8

17/8

Sd with refce.
20/8

Kolar Deputy Commissioner's office

Dated 9th August 1896.

Camp Bowringpet.

To

The Secretary to the Government of Mysore

Revenue and General Department

Sir,

Adverting to your official Memorandum No. Pet/1255 dated 10th January 1896 forwarding for report 2 petitions from Ramappa and Buchia residing at Nandamballi village, Kolar Taluk, appealing against this office order declining to cancel the fine of Rs: 10 imposed on them for removing a Huvarse tree, I have the honor to submit herewith as per accompanying Taluk the vernacular proceedings received with the Amildar's Urzi No. 143 dated the 4th Instant on the subject.

2. It will be observed from the same that a fine of Rs: 10/- was inflicted on the petitioners for cutting a green Huvarse tree standing on a piece of

of Government land and the wood of the tree ordered to be sold by public auction.

3. The petitioners contend that the tree in question was planted by them on the bund of a Kunte alleged to have been constructed by their ancestor one Ammajappa, but this fact is not clearly borne out by the old accounts nor have the petitioners adduced any satisfactory evidence in support of their allegation.

4. The enclosures of your memorandum under reply are herewith returned.

I have the honor to be
Sir,
your most obedient servant.

Deputy Commissioner
Kolar District.

SDK

Proceedings of the Government of Mysore

Read:-

Petition No 947 dated 29th August 1895 from Desa-Kulakarni Ramappa and his son Buchia of Nandamballi, Kolar Taluk, appealing against the order of the Dy. Commr. Kolar, imposing on them a fine of Rs 10 for felling and removing a Huvarsi tree which was on the bund of a Kunte in front of Nandamballi village.

Letter No 207/168 dated 9th August 1896 from the Deputy Commr. Kolar, reporting on the above petition and submitting records connected with the case.

In May 1893, the Deputy Commr. and the Treasury Asst to Commr. received anonymous petitions to the effect that the Appellant had felled a green Huvarsi tree which was standing on the bund of a Govt. Kunte in Nandamballi village, Kolar Taluk

From enquiries made, it was ascertained that about the beginning of May 1893, the appellants unauthorizedly felled the tree belonging to Govt. and, as recommended by the Amildar, the Deputy Commr fined the appellants in the sum of Rs 10/-. The appeal is against the Deputy Commr's order, which is dated 17-7-94.

2. The appellants contend that the Kunte was constructed by one Lemmajappa of their family; that the tree was planted by another member of the family by name Ramappa; that the tree was blown down by wind, causing damage to the bund of the tank Kunte; that the tree was removed to admit of repairs being done to the bund and that Rs 70 have already been spent and about 9 Kundies of Ragi have been advanced for the purpose of getting the bund repaired.

3. The main point for consideration is what

right, if any, have the appellants to the Kumta and the bree in question.

4. Appellants admit that the Kumta is in Government land and that during the Survey Settlement, the Kumta and its premises were included in the village site. They do not appear to have asserted any claim at the time of the Survey Settlement. They have no orders in support of their claim.

Section 1, 3
File No 14
Serial No 5

9 Order No 4604 / P. 702 dt 14.11.96

The principal allegation is that the bree fell down and that it was removed to enable the repairs being undertaken. Two Wudders have come forward to state that some work was done and more would have been done but for these proceedings. There seems to be no doubt that the Kumta was constructed by the elders of the appellants and that they were exercising some control over it though not full rights of proprietorship. Under these circumstances it seems inexpedient to

fine them for the removal of the bund. The fine may be remitted and refunded to the petitioners, provided they complete the repairs and bring the kunte into a satisfactory condition. The Dy: Commr may give them a reasonable time within which they should be bound over to complete the work and if they carry it out satisfactorily, the fine may be remitted.

There is no objection to recognise the Kunte as a work of charity of the appellants' elders dedicated for public use.

Redraft
C 2

14/11/96
Jr Secretary

To

The Dy Commr Kolar

with records rec'd with his
No. 707/168 of 7-8-96.

21-11-96

19-11-90

947

ಸಂಖ್ಯೆ ಸಿಇಎಂ ಎಸ್ಇಸಿ-ಪಿಸಿ-ಎಲೆಕ್ಷನ್ಸ್

ಕೇಂದ್ರ ಚುನಾವಣಾ ಆಯೋಗದ ಅಧಿಸೂಚನೆ ಸಂಖ್ಯೆ 76/ಪಿಸಿ/91 ದಿನಾಂಕ 14-9-91 ಮತ್ತು ಅದಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ ಹೊರಡಿಸಲಾಗಿರುವ ಆದೇಶಗಳಲ್ಲಿ ಕೆಲವು ಸಂಸದೀಯ ಕ್ಷೇತ್ರಗಳಿಗೆ ಚುನಾವಣೆಯನ್ನು ಮುಂದೂಡಿರುವುದರಿಂದ ಮತ್ತು ಕೆಲವು ಸಂಸದೀಯ ಕ್ಷೇತ್ರಗಳಿಗೆ ಚುನಾವಣೆಯನ್ನು ಮುಂದೂಡಲಾಗ

తెదరేయు గ్రహంబుండుటను వెలుగుండకపోవుట
వల్లనిది - రాత్రులందరిగ్రహ-రక్షకోశములు [illegible]
గ్రహంబుల వ్యాపారంబులు సుదర్శించుటకై
యుల్కగ్రహ-క్షిప్తసిద - రాంబువ్యాపారంబులు
సుదర్శిగ్రహమున్న ధాత్ర-ధ్య-శాస్త్రిదిశలయం
ధ సుదర్శనంబులవల్ల రేలుండకగ్ర-క్షిప్తాంబులు
ఆర్ద్రతిందు ఉదయమున్న సుర-రిసుంచదర్శనకై
నుల్కగ్రహమేలాలయసు సూచించుట - రా-క్షి
రా-రాత్రుత్రా రా-లసు రా-లచ్చులభక్షిగ్రహిదిల
లయ ధ్వనులందాంచి ఉదయదిర్శ్యాంశం
ధ వర్ణించిది -

సుర్యాదిబింబంబుల్లో సుదర్శనంబుల
లయంబడుగ్రహ-సు రేణుసేళ్వనిం శక్తిగ్ర
సుదర్శనంబు - రాత్రుల ఉదయాస్తమయంబుల
స్వధర్మంబుగాంచుటంబుల్లో రేలయంబడుగ్రహ సుద
ఉదయదిర్శ్యాంశమ్ములు వెలుగుండకపోవుట
వల్లనుగ్రహ ఉదయదిర్శ్యాంశములుండియుండ
దిల్లు -

శాస్త్రయంద సుదర్శనర్తనచక్రవర్తుల
రా-క్షి రిసుంచి రేలయంబుగ్రహ్యంబుల రేణు
సిద్ధంబుండుట ఉదయదిర్శ్యాంశమ్ములన్నట్లు
రా - చూయించిది - సుదర్శనంబుల రేణుయం చా-శా
వుగాంశగ్రహణంబు రేణుయం - యుష్మదస్మత్ప్ర

ಅವಿಧೇಯರಾಗಿ ಕೆಡಕನ್ನು ಅನುಭವಿಸಿದ್ದಾರೆ. ಆದರೆ ಅವರು ಮಾಡಿದ ಪಾಪಗಳಿಗಾಗಿ ಅವರು ಪಶ್ಚಾತ್ತಾಪಪಟ್ಟಾಗ ದೇವರು ಅವರನ್ನು ಕ್ಷಮಿಸಿದರು.

1/ [illegible]

[illegible]

[illegible]

[

9

(General Serial No. 309)

DEPARTMENT
No. 2137
AUG 26 1909

1901 — V. 1802

LR.

*From* F. E. C. Carr Esquire
Deputy Commissioner
Kolar District

*To* H. V. Nanjundayya Esq
Secretary to the Govt
of Mysore, Rev + Genl
Dept.

Section 9 F
File No 54
Serial No 7

*Dated* 22 - 8 - 1901.

*Despatched* 23 — 8 — 01

*Received*

*General No.* } 190
*C No.* 311

*Enclosures Number.* 1 with file

Submitting for sanction
a refund bill in favour
of Desakulkarni Ramappa
for Rs 10/-

Recd
R
26.8.0
Rs 10/- Ps Nil
Sd with draft
5/9/01

Kolar District

Deputy Commissioner's office

Camp Chintamani

22nd August 1901

From

J. E. C. Carr Esquire

Deputy Commissioner

Kolar District

To

H. V. Nunjundayya Esqr.

Secretary to the Govt.

of Mysore, Rev & Genl

Depts.

Sir,

With reference to the Government Proceedings No. 4502/P702 Dated 14th November 1896, remitting the fine of Rupees 10/- imposed on Desakulkarni Ramappa and his son Buchappa for having felled and removed a green Hunarse tree, that stood on the bund of a Kunte in front of the Nandamballi village in the Kolar Taluk, I have the honor to submit herewith for

Sanction a refund bill with the Treasury Credit Certificate

2. Ramappa and his son Buchayya are reported to have satisfactorily executed the repairs to the Kunte within the period of 3 months granted to them by Mr. A. Rangasamiengar, the late Deputy Commissioner, in accordance with the Concluding portion of the above Government Proceedings

3. The Vernacular records ending with the Treasury officers yadi No. 272 dated 30 July 1901 are herewith forwarded for reference & favour of return.

I have the honor to be
Sir,
Your Most obedt. Servant

Deputy Commissioner

Draft for appl

Read again

Govt order no: 4504 & 14/11/96
P. 702

remitting the fine of Rs 10/-
imposed by the Dy Comr Kolar,
in 1894 on one Desakulakarni
Ramappa and his Son Buchia
of Nandamballi village,
Kolar Taluk, for felling
and removing a Huvarsi
tree ~~situated~~ on the bund of a kunte
in front of the village, provided
and requiring Completion of
~~that they completed the~~ Repairs
to the kunte ~~which they had~~
~~begun and leaving it to a~~
~~satisfactory condition~~ within
a ~~reasonable~~ time to be
fixed by the Dy Comr

standing

Read also

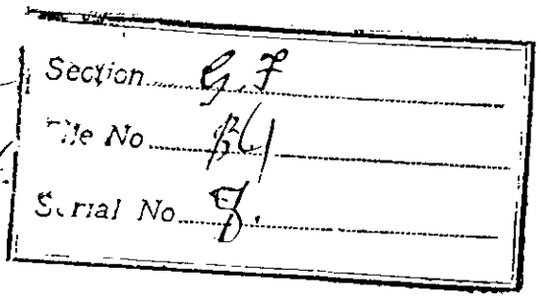
Letter no: 311 & 22/8/01
from the Dy Comr Kolar
submitting for sanction
a refund bill for Rs 10/-
favour of ~~Desakulakarni~~
Ramappa with reference to
the above order and reporting
~~that the said Ramappa and~~ the kunte was
~~his Son Buchia have~~ repaired
~~executed the Repairs to the Kunte~~

within ~~a period of~~ the three months time
granted to them by the
by Laws.

Order thereon.

No H 460-61 & 18/9/01

The refund bill is
Sanctioned and passed on
to the Controller Mysore Govt for audit.




M
18/9/01
For Secretary.
ser
5/9/01

To the Hy Laws, Kolar, returning
the remuneration papers. sent

To the Controller, Mysore
Govt, with bill. sent

copd
17/9/01